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ALSO ADMITTED TO PRACTICE IN THE
UNITED STATES SUPREME COURT &
U.S. DISTRICT COURT OF THE DISTRICT OF NEW JERSEY

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Monday, May 17, 2010

VIA: ECF

Hon. Stanley R. Chesler, USDJ
Frank R. Lautenberg U.S. P.O. & Courthouse
Room 417
P.O. Box 999
Newark, NJ 07101-0999

RE: *Pollis v. Board of Chosen Freeholders*
Civil Action No. 09 – 3009

Dear Judge Chesler:

As Your Honor may recall, on April 22, 2010, the Court dismissed my client's civil rights amended complaint because it was of the opinion that the amended complaint "failed to make a plain statement of the claims showing the pleader is entitled to relief." This amended complaint was filed on January 11, 2010 following the Court's dismissal without prejudice order of December 15, 2009 in which the Court reasoned that:

In the instant case, the factual allegations of the Amended Complaint provide a literal blow – by – blow account of many of the Plaintiff's experiences in a correctional facility, describing an extensive series of events involving improper conduct. Following this extensive recitation, Plaintiff sets forth eleven counts in which she asserts in conclusory fashion that the preceding allegations give rise to each of the eleven causes of action. Unfortunately, by proceeding in this manner, Plaintiff asks this Court to somehow divine which particular factual allegation provides the underpinning for the various causes of action.

My client's amended complaint is due to be filed on Monday, May 24, 2010. Since having received the Court's April 22, 2010, I have been giving much thought as to how to amend my client's amended complaint to comport with the Court's Orders. I have consulted with other Federal Court practitioners, other complaints I have filed in Federal Court, treatise materials and even the District's "Form to be Used By a Prisoner in a Civil Rights Complaint" in an attempt to accommodate the Court's wishes. Having done so, I am not quite certain as to how to amend the complaint to meet the Court's expectations. I respectfully seek more specific guidance from the Court as to why the Plaintiff's amended complaint does not satisfy F.R.C.P.8(a) and the interpretative case law so that I can correct same for the purposes of proceeding with the Plaintiff's civil action which was filed on June 19, 2009.

In the event that you have any questions or concerns, please feel free to contact me by any of the above means.

Very truly yours,



DAMIANO M. FRACASSO,
ATTORNEY FOR THE PLAINTIFF

Cc: James McCreedy, Esq. (via: ECF)